

The Supreme Court of Ohio

FILED

MAY 25 2011

CLERK OF COURT
SUPREME COURT OF OHIO

Kenneth M. Schwering et al.

Case No. 2011-0438

v.

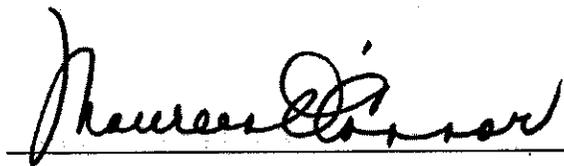
ENTRY

TRW Vehicle Safety Systems, Inc., et al.

This cause, here on the certification of a state law question from the United States District Court for the Southern District of Ohio, Western Division, was considered in the manner prescribed by law. Upon review pursuant to S.Ct. Prac. R. 18.6, the Court will answer the following question:

“Where a jury has been empaneled and sworn and the trial has commenced for purposes of Ohio Civ. R. 41(A)(1)(a), and the trial court subsequently declares a mistrial, does Rule 41(A)(1)(a) permit the plaintiff to unilaterally voluntarily dismiss his or her claims without prejudice?”

(US District Court for the Southern District of Ohio, Western Division; No. 110CV679)



Maureen O'Connor
Chief Justice